

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ROBERT YOUNG,

Plaintiff,
vs.

Case No. 1:16-cv-1006

Judge Timothy S. Black

RANDALL WINKLER, *et al.*,

Defendants.

**ORDER GRANTING PLAINTIFF’S MOTION FOR LEAVE TO PROCEED IN
FORMA PAUPERIS (Doc. 2)**

This civil action is before the court on Plaintiff’s motion for leave to proceed *in forma pauperis* under 28 U.S.C. § 1914(a). Pursuant to 28 U.S.C. Section 1914(a), “[t]he clerk of each district court shall require the parties instituting any civil action, suit or proceeding in such court...to pay a filing fee of \$350.” However, “[t]o ensure access to the courts,” indigent persons may “avoid payment of filing fees by filing an *in forma pauperis* affidavit,” *Johnson v. Cargill, Inc.*, No. 08-2052-B/V, 2008 WL 501341, at *1 (W.D. Tenn. Feb. 21, 2008). Upon the filing of an application to proceed *in forma pauperis*, “the Court must conduct a satisfactory inquiry into the plaintiff’s ability to pay the filing fee and prosecute the lawsuit.” *Id.*

Plaintiff’s affidavit indicates that he has been unemployed since 2003. (Doc. 2 at 2). Plaintiff is married as has two minor children. (*Id.*) Plaintiff’s wife, Elizabeth Young, earns \$1905.00 a month from Social Security Disability and she provides the sole income for the entire family. (*Id.*) The affidavit indicates monthly expenses (not

including food, medical, or clothing) of \$1,326.40. (*Id.* at 3). Accordingly, Plaintiff has demonstrated that he qualifies to proceed *in forma pauperis*.

Therefore, this Court finds that Plaintiff is indigent pursuant to 28 U.S.C. Section 1914(a). Plaintiff's motion to proceed *in forma pauperis* (Doc. 2) is hereby **GRANTED** and Plaintiff shall prosecute this action without prepayment of fees or costs.

The United States Marshal shall serve a copy of the complaint, the summons, and the Emergency Motion for Temporary Restraining Order, and this Order granting leave to proceed *in forma pauperis* upon the Defendants as directed by Plaintiff. All costs of service shall be advanced by the United States.

IT IS SO ORDERED.

Date: 10/18/2016

_____/s/Timothy S. Black_____
Timothy S. Black
United States District Judge